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PATENT COOPERATION TREATY

PCT

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16 JUL 2004

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

REG'D 24 MAY 2004

WIPO PCT

Applicant's or agent's file reference PCT 301	FOR FURTHER ACTION	See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)
International application No. PCT/KR2003/000110	International filing date (day/month/year) 17 JANUARY 2003 (17.01.2003)	Priority date (day/month/year) 19 JANUARY 2002 (19.01.2002)
International Patent Classification (IPC) or national classification and IPC IPC7 B60C 11/00		
Applicant PARK, Jin Young et al		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 3 sheets, including this cover sheet.

This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of _____ sheets.

3. This report contains indications relating to the following items:

- I Basis of the report
- II Priority
- III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV Lack of unity of invention
- V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI Certain documents cited
- VII Certain defects in the international application
- VIII Certain observations on the international application

Date of submission of the demand 16 AUGUST 2003 (16.08.2003)	Date of completion of this report 06 MAY 2004 (06.05.2004)
Name and mailing address of the IPEA/KR Korean Intellectual Property Office 920 Dunsan-dong, Seo-gu, Daejeon 302-701, Republic of Korea Facsimile No. 82-42-472-3549	Authorized officer SON, Yong Ook Telephone No. 82-42-481-5427

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/KR2003/000110

I. Basis of the report

1. With regard to the elements of the international application:*

 the international application as originally filed the description:

pages _____, as originally filed

pages _____, filed with the demand

pages _____, filed with the letter of _____

 the claims:

pages _____, as originally filed

pages _____, as amended (together with any statement) under Article 19

pages _____, filed with the demand

pages _____, filed with the letter of _____

 the drawings:

pages _____, as originally filed

pages _____, filed with the demand

pages _____, filed with the letter of _____

 the sequence listing part of the description:

pages _____, as originally filed

pages _____, filed with the demand

pages _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language English which is the language of a translation furnished for the purposes of international search (under Rule 23.1(b)). the language of publication of the international application (under Rule 48.3(b)). the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

 contained in the international application in written form. filed together with the international application in computer readable form. furnished subsequently to this Authority in written form. furnished subsequently to this Authority in computer readable form The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished. The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.4. The amendments have resulted in the cancellation of: the description, pages _____ the claims, Nos. _____ the drawings, sheet _____5. This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this opinion as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item I and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION

International application No.

PCT/KR2003/000110

v. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	2	YES
	Claims	1, 3-5	NO
Inventive step (IS)	Claims		YES
	Claims	1-5	NO
Industrial applicability (IA)	Claims	1-5	YES
	Claims		NO

2. Citations and explanations (Rule 70.7)

A. Concerning the documents referred to in this report:

D1: KR 2000-20302 A

D2: WO 99 43505 A1 (patent family member of KR 2001-41285 A
cited in the International Search Report)

***** New Citations (cited in D2) *****

D3: EP 0658452 A1 (see the abstract)

D4: US 5227425 A (see the abstract)

B. Concerning Novelty - Art. 33(1) and (2) PCT:

Claims 1 and 3-5 lack novelty over D1 for the following reasons:

D1 relates to an electrically conductive tyre provided with a tyre tread made of a non-conductive rubber composition containing silica, comprising holes filled with a conductive rubber composition containing carbon black. The holes pass through a cap tread and come in contact with a under tread having sufficient electric conductivity to enable the electrostatic charge stored by a vehicle on running to be discharged to the ground. In addition, D1 refers to the shape of holes. (D3 also discloses the electrically conductive tyre which is disclosed in D1.)

C. Concerning Inventive Step - Art. 33(1) and (2) PCT:

Claim 2 lacks an inventive step over D1 and D4 for the following reasons:

The essential feature of claim 2 appears to be that a tyre tread is formed of a rubber composition containing silica at the amount of more than 50 PHR. D4 discloses that a tyre tread is formed of a rubber composition containing silica (main reinforcement filler) at the amount of 30 to 150 PHR.

D1 and D4 do not individually disclose all the features of the claim, but when combined, they disclose all the features of the claim. Consequently, it would be obvious to a person skilled in the art to arrive at the claim by using the teachings of D1 and D4.

D. Concerning Industrial Applicability - Art. 33(1) and (3) PCT:

All claims are considered to be industrially applicable.